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**EXTRAORDINARY
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No. 13] **NEW DELHI, FRIDAY MAY 11, 1962/VAISAKHA 21, 1884**

LOK SABHA

The following Bills were introduced in Lok Sabha on the 11th May, 1962:—

BILL No. 21 OF 1962

A Bill further to amend the Indian Penal Code, 1860.

BE it enacted by Parliament in the Thirteenth Year of the Republic of India as follows:—

1. (a) This Act may be called the Indian Penal Code (Amendment) Act, 1962. Short title and commencement.

5 (b) It shall come into force at once.

2. In section 405 of the Indian Penal Code, 1860 (hereinafter referred to as the principal Act):— Amendment of section 405.

(i) after the words 'direction of law', the words "or of any condition, express or implied," shall be inserted;

10 (ii) after the words, 'such trust', the words, "express or constructive", shall be inserted.

3. In section 406 of the principal Act, for the words, "three years or with fine, or with both", the words "five years and shall also be liable to fine" shall be substituted. Amendment of section 406.

STATEMENT OF OBJECTS AND REASONS

The purpose of the present Bill is to make Section 405 more specific and clear so that action may be taken against any person who violates any express or implied condition of any express or constructive, trust, and also to make the offence of criminal breach of trust more severely punishable.

NEW DELHI;
The 3rd April, 1962.

DIWAN CHAND SHARMA.

BILL NO. 15 OF 1962

A Bill further to amend the Commissions of Inquiry Act, 1952.

BE it enacted by Parliament in the Thirteenth Year of the Republic of India as follows:—

1. (a) This Act may be called the Commissions of Inquiry (Amendment) Act, 1962.

Short title
and com-
mencement.

5 (b) It shall come into force at once.

60 of 1952.

2. (1) In section 8 of the Commissions of Inquiry Act, 1952 the words "and deciding whether to sit in public or in private" shall be omitted.

Amendment
of section 8.

10 (2) Section 8 so amended shall be re-numbered as sub-section (1) of section 8 thereof, and after sub-section (1) so renumbered, the following sub-sections (2) and (3) shall be inserted, namely,—

"(2) The Commission shall sit in public.

(3) Any person may apply to the Commission for appearing before it, giving evidence and presenting any document."

STATEMENT OF OBJECTS AND REASONS

Under the present Act it is not binding upon the Commission to sit in public. Moreover there is no provision allowing any person to appear before the Commission. It is just possible that all the facts may not be brought to the notice of the Commission, as it is impossible for the Commission to know all the persons who can help the Commission in investigation.

The purpose of the present Bill is to incorporate such provisions in the Act, so that the enquiry may be held in public and any person may apply to the Commission for appearing before it and presenting any documents.

NEW DELHI;

DIWAN CHAND SHARMA.

The 3rd April, 1962.

BILL NO. 20 OF 1962

A Bill further to amend the Indian Penal Code, 1860.

BE it enacted by Parliament in the Thirteenth Year of the Republic of India as follows:—

1. (1) This Act may be called the Indian Penal Code (Amendment) Act, 1962. Short title
and com-
mencement.

5 (2) It shall come into force at once.

XLV of 1860. 2. In Section 309 of the Indian Penal Code, 1860, after the words "such offence" the words "or threatens to undertake fast unto death for acceptance of any of his demand" shall be inserted. Amendment
of Section
309.

STATEMENT OF OBJECTS AND REASONS

Under the present Section 309 of the Indian Penal Code, only those can be punished who attempt to commit suicide, but no action can be taken against those who go on hunger strike or undertake fast with a view to put undue pressure for acceptance of their demands.

The purpose of the present amendment is to make such provision so that whoever resorts to hunger strike or undertakes fast with ulterior motive may be duly punished and criminal action may be taken against him.

There is great urgency for such provision as such cases are increasing and people have adopted the weapon of hunger strike or fast to get their demands accepted.

NEW DELHI;

DIWAN CHAND SHARMA.

The 3rd April, 1962

BILL No. 12 OF 1962

A Bill further to amend the Banking Companies Act, 1949.

BE it enacted by Parliament in the Thirteenth Year of the Republic of India as follows:—

1. (1) This Act may be called the Banking Companies (Amendment) Act, 1962. Short title and commencement.

5 (2) It shall come into force at once.

2. In sub-section (1) of Section 46 of the Banking Companies Act, 1949 (hereinafter referred to as the principal Act), after the words "material statement" the words "or contravenes any provision of this Act," shall be inserted. Amendment of section 46.

10 3. After section 53 of the principal Act, the following new section shall be inserted: Insertion of new section 53 (A).

"53A. The Central Government may, on the recommendation of the Reserve Bank, acquire by notification in the official gazette, any licensed Banking Company." Power to acquire licensed Banking Company.

STATEMENT OF OBJECTS AND REASONS

Under the present Act there are many provisions for which no penalties are prescribed under section 46.

There is also at present no such provision for taking over any Banking Company.

The purpose of the present Bill is to provide such provisions so that effective action may be taken for violation of any provision of the present Act and the Government may be able to take over any Banking Company recommended by the Reserve Bank of India.

NEW DELHI;
The 3rd April, 1962.

DIWAN CHAND SHARMA.

STATEMENT OF OBJECTS AND REASONS

It has been noticed that in spite of the safeguards provided for the tenants in case of orders for eviction being passed on the ground of reconstruction the landlords have very often flouted those orders. It has also been noticed that *malafide* suits have been filed for eviction on the ground of re-construction even in cases of buildings which do not otherwise need to be re-constructed only in order to evict tenants or to increase the rental income of the newly constructed premises. This is opposed to the intention of the Delhi Rent Control Act, 1958. The Bill seeks to remedy these defects.

NAVAL PRABHAKAR.

NEW DELHI;

The 14th April, 1962.

M. N. KAUL,
Secretary.

